

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES ERNEST DICKERSON,

Plaintiff,

v.

CAROL PORTER,

Defendant.

Case No. C06-5235RJB

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of U.S. Magistrate Judge J. Kelley Arnold. Dkt. 6-1. The Court has reviewed the pleadings filed in support of and in opposition to the Report and Recommendation and the remaining record.

Plaintiff filed this case on April 13, 2006. Dkt.1. On May 1, 2006, the Clerk of the Court wrote Plaintiff and informed him of various deficiencies in his *in forma pauperis* application, including his failure to complete question number 3 of the application, attach a trust account statement or Written Consent for Payment of Costs form. Dkt. 2. On June 5, 2006, Judge Arnold issued an Order to Show Cause why Plaintiff's *in forma pauperis* application should not be denied for failure to cure the deficiencies. Dkt. 5. Plaintiff did not respond. On July 20, 2006, Judge Arnold recommended denial *in forma pauperis* application due to Plaintiff's failure to cure the defects. On July 26, 2006, Plaintiff filed a copy of his inmate trust account statement. Dkt. 9.

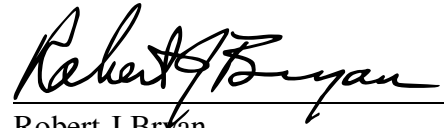
ORDER - 1

1 Plaintiff has not filled the Written Consent for Payment of Costs forms or completed question
2 number three on his application.

3 Therefore, it is hereby **ORDERED**:

- 4 • Plaintiff's Motion to proceed in forma pauperis (Dkt. 1) is **DENIED**.
- 5 • Plaintiff has thirty days from the date of this order to file the \$350.00 filing fee or this
6 matter will be dismissed without prejudice.
- 7 • The clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and
8 to the Hon. J. Kelley Arnold.

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10 DATED this 21st day of August, 2006.

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13 Robert J Bryan
14 United States District Judge
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